Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 4419 /2004

PETITIONER : M.K. Sadanandan, S/o. Late Shri Karunakaran, aged about 43 years R/o. Railway Colony, Kirundal, Ward No.-17, Tahsil Dantewada District South Bastar, Dantewada (C.G.)

P.R. No. 4532/04 Presented by Shri Sanjay Agrawal dated 20/7/04

VERSUS

RESPONDENTS :1. State of Chhattisgarh Through Secretary General Administrative Department D.K.S. Bhawan, Raipur (C.G.)

2. Union of India Through Secretary Ministry of Personnel Public Grievances and Administrative Reforms New Delhi.

3. Sub-Divisional Officer (Revenue) Dantewada, District Dantewada (C.G.)

4. District Election Officer Dantewada, Distt. Dantewada (C.G.)

19/11/04

R/C Shri Yadav Clerk to Shri VINAY HARIT U.O.I.

WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

(33)

HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर
W.P. No. 4419/2004

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

देश का दिनांक आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

23/11/2004

Miss Sharmila Singhai, counsel for the Petitioner.

Shri Bhaskar Pyasi, Panel Lawyer takes notice on behalf of Respondents No.1, 3 and 4.

By filing this petition under Article 226/227 of the Constitution of India the petitioner has questioned the order Annexure P/1 dated 16.11.2004 whereby the application of the petitioner to issue O.B.C. certificate in his favour has been rejected. The said order is appellable.

Learned counsel for the petitioner requested that the petitioner may be permitted to withdraw this writ petition with liberty to file appeal to the Collector, Dantewada. She further submitted that the petitioner is intending to contest the election for the post of President, Municipal Council, Kirundul, District-Dantewada and the last date for filing nomination form is 29th November, 2004 and if the appeal is not heard and disposed of by that time then the purpose of filing this writ petition and the appeal will be defeated.

(34)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 4419/2004

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Having heard learned counsel for the parties and having considered the facts and circumstances of the case this petition is disposed of with liberty to the petitioner to file an appeal before the competent authority/Collector, Dantewada by tomorrow i.e. 24.11.2004 and learned Collector is directed that looking to the urgency he should to try to dispose of the appeal by 27th November, 2004.

Learned counsel for the petitioner further requested that if the appeal is not disposed of by 27th November, 2004 in that case the competent authority/Collector may be directed to allow the petitioner to file his nomination form subject to the decision of the appeal. In the circumstances, if the Collector deems it appropriate, he may adopt this course.

In view of the above order M(W)P No. 4764/2004 and I.A.No. 8903/2004 stand disposed of.

Certified copy by today.

Sd/-
L.C.BHADOO
Judge